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FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

MAR 22 1993

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Applications of
SPECTRUM BROADCASTING CO.
STEVEN L. GRADICK
TERRY C. JENKS
For Construction Permit for a
New FM Station on Channel 288A
in Bowdon, Georgia

MM DOCKET NO. 93-26
File No. BPH-911031MC
File No. BPH-911031MD
File No. BPH-911031MF

To: The Honorable Richard L. Sippel
Administrative Law Judge

ENVIRONMENTAL ASSESSMENT
AND
PETITION FOR LEAVE TO AMEND

Steven L. Gradick ("Gradick"), by his counsel, hereby submits his Environmental Assessment as directed in the Hearing Designation Order (DA93-122), released February 24, 1993 and petitions for leave to amend his broadcast application in the above-referenced proceeding to include the Environmental Assessment.

The applicant is submitting this technical statement in lieu of an environmental assessment. Pursuant to §1.1306 of the FCC Rules and Regulations as was stated in his application, the site is categorically excluded from §1.1311 of the Rules.

The applicant provides this statement pursuant to Further Guidance for Broadcasting Regarding Radiofrequency Radiation and the Environment, ("Further Guidance"), Mimeo 2278, released January 28, 1986, which states that all applications for new facilities must contain either a specific indication that the RF radiation will not be a significant environmental impact or an environmental

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assessment. In Footnote 1, the Further Guidance stated that a specific indication is satisfied by answering the question on the application form. The applicant by this amendment is providing supplemental information to its application regarding protection in areas with high RF levels where maintenance and repair work must be performed by employees or other workers. This is responsive to situation (G) in the Further Guidance:

As long as these workers will be protected from exposure to levels exceeding ANSI guidelines, no environmental assessment is needed. Unless requested by the Commission, information about the manner in which such activities are protected need not be filed. If protection is not to be provided, the applicant must submit an environmental assessment. (Emphasis added.)

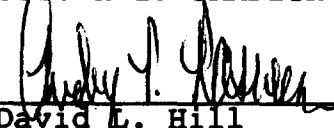
Accordingly, the applicant is submitting his narrative which provides assurances that protection for such activities will be provided. Therefore, no environmental assessment is necessary.

Because the applicant is responding to the Commission request as articulated in the HDO for this environmental information, good cause exists for the acceptance of the amendment. There will be no comparative advantage claimed by Gradick as a result of this amendment. Therefore, this Petition for Leave to Amend should be granted.

Respectfully submitted,

STEVEN L. GRADICK

By:


David L. Hill
Audrey P. Rasmussen
His Attorneys

O'Connor & Hannan
1919 Pennsylvania Avenue, N.W.
Suite 800
Washington, D.C. 20006
(202) 887-1400

Dated: March 22, 1993

ADMENDMENT REQUEST

Re: File No(s): BPH-911031MD

It is requested that the above-identified application(s)
be amended to include the attached material.

Any questions concerning the application(s) may be directed
to our counsel:

Audrey P. Rasmussen, Esquire
O'Connor and Hannan
1919 Pennsylvania Avenue, N.W.
Suite 800
Washington, D.C. 20006
(202) 887-1431

Respectfully submitted,

Steven L. Grady

Attachment

0007r-2

TECHNICAL STATEMENT
AMENDMENT TO
APPLICATION FOR FM CONSTRUCTION PERMIT
STEVEN L. GRADICK
BOWDON, GEORGIA
CH 288A 6 KW 100 M

This technical statement serves to amend the application of Steven L. Gradick, applicant for a new FM station on channel 288A to serve Bowdon, Georgia (file no. BPH-911031MD). In paragraph 3 of the Hearing Designation Order in MM Docket No. 93-26 (adopted February 2, 1993, Released February 24, 1993), Mr. Gradick was notified that, in regard to the protection of workers from radiofrequency radiation exposure, "his response did not adequately address the issue." The deficiency cited was that, although Mr. Gradick's application stated that measures would be taken to protect workers from excessive radiofrequency radiation exposure, he did not specifically state what steps would be taken. This amendment addresses this deficiency.

With respect to workers granted access to the tower structure proposed in Mr. Gradick's application, he verifies that should the workers be required to work on the tower in a location where, under normal operating conditions, they would be exposed to radiofrequency radiation in excess of the ANSI radiofrequency protection guidelines that the station transmitter power will be reduced or shut off to assure that no over exposure to radiofrequency radiation will occur.

David E. Dickmann

David E. Dickmann

March 1, 1993

CERTIFICATE OF SERVICE

I, Gladys L. Nichols, do hereby certify that on this 22nd day of March, 1993, the foregoing **ENVIRONMENTAL ASSESSMENT AND PETITION FOR LEAVE TO AMEND** was served to the following persons by First Class Mail.

* The Honorable Richard L. Sippel
Administrative Law Judge
Federal Communications Commission
2000 L Street, N.W., Room 214
Washington, D.C. 20554

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Enforcement Division
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Mr. Terry C. Jenks
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Gladys L. Nichols

* Hand Delivered